

OLC RECORD COPY

LSN WH

OLC 76-3464

29 November 1976


MEMORANDUM FOR: Helene Boatner, Chief, Analysis Group  
Resources Staff, O/Comptroller

FROM: George L. Cary  
Legislative Counsel

SUBJECT: Transition Papers

Per your request, attached hereto are the following papers:

- a. A document outlining the function and internal and external relationships of the Office of Legislative Counsel.
- b. A document titled "DCI Relations with Congress."
- c. A list of all committees mentioned in the above document together with the name of the subcommittees, if any, with which the Agency deals, the names of the members of the committees or subcommittees and the names of the principal staff members of such committees or subcommittees.
- d. A document titled "DCI Legislative Objectives." This same subject is covered in the document mentioned in a. above, "DCI Relations with Congress," and you may draw on either for your purposes.
- e. A document briefly describing the major budgetary item which must be submitted prior to June 1977.

  
for George L. Cary  
Legislative Counsel

STAT

Attachments

Distribution:

Original - addressee

1 - OLC Subject

1 - OLC Chrono

OFFICE OF LEGISLATIVE COUNSEL

Function

The Legislative Counsel is responsible for liaison with the Congress on matters arising in connection with the official business of the Director of Central Intelligence. He supports the Director of Central Intelligence, the Deputy Director of Central Intelligence, and the Deputy to the Director of Central Intelligence for the Intelligence Community in their official business with Congress. The specific functions of the Office of Legislative Counsel (OLC) are:

- a. Keeping the Director informed on all Congressional matters involving or affecting the Agency.
- b. Studying and recommending Agency and Intelligence Community action in connection with proposed legislation.
- c. Controlling all Agency and Intelligence Community liaison with the Congress, its individual members, committees and their staffs, and with legislative liaison staffs of other executive departments and agencies.
- d. Conducting liaison with the Office of Management and Budget with respect to all Agency or Intelligence Community proposed legislation, for all other bills and reports on proposed legislation and on proposed executive orders, keeping the Comptroller appropriately advised.
- e. Supervising the handling of Congressional correspondence and inquiries.

Internal Relationships

The Legislative Counsel reports to the Director of Central Intelligence.

Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2

When the matter involves the Agency it reports through the Deputy Director of Central Intelligence and when it involves the Intelligence Community it reports through the Deputy to the Director of Central Intelligence for the Intelligence Community. The Office of Legislative Counsel receives its assignments directly from the above-mentioned officials. However, many of the requests for action originate with Congressional committees and individual members and their staffs. These requests, where necessary, are cleared through the above-mentioned officials. Whenever an assignment or a request is received, OLC refers the matter to the appropriate component, coordinates the preparation of responses, reviews responses to assure policy consistency and responsiveness and forwards the response to the appropriate officials, Congressional committees or individual members. The OLC, where necessary, coordinates and keeps informed the Comptroller, the General Counsel and the Inspector General on all matters within these purviews. The OLC, when necessary, requests the Office of the DDI and the NIO to provide substantive intelligence and briefings on subjects requested by Congressional committees or individual members.

#### External Relationships

The OLC participates in the Legislative Inter-departmental Group and the Intelligence Committee ad hoc Coordinating Group. It does not chair either of these. George Cary, Legislative Counsel and [ ] Deputy Legislative Counsel, principally handle day-to-day coordination with the heads of legislative liaison offices in other Executive Branch components, although all members of the Office of Legislative Counsel maintain contact where necessary from time to time. In particular, [ ] Office of Legislative Counsel, supervises liaison on legislation with OMB and other

STAT

STAT

Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2

**Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2**  
executive agencies. The primary point of contact in other principal

Executive Branch components are:

- Frank Claunts, OMB
- Jim Wenzel, Department of Justice
- Tom Latimer, Department of Defense
- Sam Goldberg, Department of State

12 NOV 1976

## DCI RELATIONS WITH CONGRESS

DCI relations with Congress fall basically into the following areas: General Legislative Oversight, Appropriations, Covert Action, Substantive Intelligence Support, Investigations of Intelligence Community Activities by Non-oversight Committees and Legislation.

I. General Oversight -- is handled by the Select Committee on Intelligence with 15 members and by Subcommittees of the Senate and House Armed Services Committees involving a total of 14 members.

II. Appropriations -- Are handled by Subcommittees of the Senate and House Appropriations Committees involving a total of 18 members.

III. Covert Action -- Is handled in addition to the above committees by Subcommittees of the Senate Foreign Relations and House International Relations Committees with a total of 9 members, which receive reports on all covert action programs pursuant to statute (Sec 662 of Foreign Assistance Act of 1961, as amended).

IV. Substantive Intelligence Support -- Is rendered to a number of other committees, offices (e. g. Congressional Budget Office) and individual members.

V. Investigations of Intelligence Community Activities by Non-oversight Committees -- Arises on an ad hoc basis and we are anticipating heavy support to the new House Select Committee on Assassinations which will be investigating, at least initially, the deaths of former President Kennedy and Martin Luther King.

VI. Legislation -- Is formulated, where needed, and monitored to ensure that our activities are not impacted unintentionally.

The above areas of interest are more specifically defined below.

I. General Legislative Oversight

A. Senate Select Committee on Intelligence (SSCI)

1. Responsibilities: The SSCI has exclusive jurisdiction over CIA and sequential jurisdiction over the remainder of the IC and has, basically, the following responsibilities:

- legislation
- annual appropriation authorization  
(for the first time -- previously funds were appropriated without an annual authorization)
- matters generally, including oversight to ensure policy makers get necessary, accurate and timely intelligence, and to ensure rights of American citizens are not infringed.

2. Issues:

- Separation of Powers. The determination of the members and staff to be fully and currently informed of intelligence activities will pose serious questions with respect to striking a balance between

-- Budget disclosures. The committee may well vote to release publicly budget figures for the National Foreign Intelligence <sup>Program</sup> plan and/or totals for each IC component. Of the 15 members of the committee, 10 have previously voted to reveal the budget, 3 have voted against public release, and 2 have not been recorded on the issue.

Disclosure of sensitive information. The committee can vote to disclose any information they wish to. If they do so, the President has 5 days to object and if he does so, the committee reconsiders its vote. If it votes again to disclose, it then goes to the full Senate for discussion and vote, which can result in referral back to committee for decision.

-- Proliferation of sensitive information. In spite of the committees conscientious effort to maintain strict security, the number of people involved (15 members, almost 50 staffers) and possible turnover poses problems.

### 3. Opportunities.

-- Charter. The Committee has created an ad hoc subcommittee to study charters and guidelines. Any revision will have a lasting effect on the IC.

This will present the opportunity to provide specific authority to conduct espionage and covert action as well as to clearly set out any other authority, or limitations the IC should be governed by.

- Quality of Intelligence. A subcommittee is currently studying this area and the committee has been directed to complete the study by 1 July 1977. This will provide the IC with the opportunity to tell its story with respect to intelligence collection.
- Congressional and Public Trust. The thorough and serious approach of the committee and staff will, in large measure, help to restore trust and confidence in the IC.

B. Senate Armed Services Committee, CIA Subcommittee.

While this subcommittee technically exercises general oversight jurisdiction, due to the advent of the SSCI, these responsibilities have de facto shifted to the new committee. Even so, we are continuing to keep the committee informed of IC matters generally. The Committee is especially kept informed on matters of foreign military intelligence. It will have an active role and influence on the authorization of IC appropriations.



Intelligence.

1. Responsibilities.

-- legislation

-- matters generally other than appropriations  
with special emphasis to ensure the subcommittee  
is kept currently informed of foreign intelligence  
developments with particular emphasis on foreign  
weaponry.

2. Issues. None

3. Opportunities.

Joint or House oversight. While it is appreciative of  
the problems of fractionated jurisdiction in the House  
and the proliferation of sensitive information which would  
be resolved by a House committee similar to the SSCI,  
it may be reluctant to relinquish its unique jurisdiction.

-- Legislation. The subcommittee could provide valuable  
support in obtaining passage of Agency-proposed legislation  
such as sources and methods and 2 deputies.

II. Appropriations Oversight

A. Senate Appropriations Committee, Intelligence Operations  
Subcommittee

1. Responsibilities.

-- Appropriations. Since the Senate follows the House in  
the appropriations process, Senate action is generally  
limited to adjusting House figures. During the past few

years, the subcommittee has tended to restore some funds cut by the House.

2. Issues. Subcommittee work has suffered from its failure to allocate sufficient staff personnel to reviewing intelligence budgets. This situation has been remedied somewhat with the recent assignment of a Majority staff member to the subcommittee and by a decision of the Minority clerk to devote more time to the intelligence budget.
3. Opportunities. With the added staff interest in the intelligence budget, it should be possible to present IC arguments in such a way as to off-set decisions made by the House which adversely affect IC programs.

B. House Appropriations Committee, Defense Subcommittee.

1. Responsibilities.

-- Appropriations with respect to the IC budget and its cost effectiveness. Its report is issued in a short unclassified statement and a very detailed classified annex. The Chairman, in fulfillment of his responsibilities to the House, has offered to all members of the House the right to see the IC budget and the subcommittee report thereon.

-- Access to information. In pursuit of its responsibilities, the staff has asked for and received an enormous amount of sensitive information on all aspects of IC programs. Such requests have included information which the IC maintains is privileged Executive Branch information and has been denied by the IC. These denials in large part have led to the investigations mentioned below.

-- Interjection of Subcommittee into Executive Branch policy and management decisions. An example of this is the Subcommittee staffs refusal to deal with the DCI's Legislative and General Counsels on non--CIA matters. Various proposals have been made to solve these problems but so far without success. Other examples are to be found in major cuts imposed on certain IC programs.

-- Subcommittee investigations. Currently the Surveys and Investigations Staff has underway separate investigations into IC activities including SIGINT, Communications, Training and a full review of CIA/DDO activities. These investigations, coming on the heels of the Rockefeller, Church and Pike investigations have cost the IC considerably in terms of lost man hours and disruption of morale.

3. Opportunities.

-- The transition period would be a propitious time to curtail somewhat the seemingly endless number of investigations.

-- This period could also be well utilized to formulate

Executive Branch policy with respect to the requests for internal documents and other information considered privileged.

-- The development of closer ties to members of the subcommittee could help to alleviate somewhat the stresses experienced with the staff.

-- The provision of a technical expert to the subcommittee during markup, if allowed by the subcommittee, could help to ensure that any cuts made of major IC programs are made based on a full knowledge of the facts.

C. Senate and House Budget Committee. Recent changes in the law provide for increased oversight of all Executive Branch budgets. It is uncertain at this time to what extent these Committees will be provided detailed access to IC budgets, but they no doubt will receive the total figures hopefully under a condition of non-disclosure.

### III. Covert Action

#### A. Responsibilities.

Current law requires that the appropriate committees (seven committees, including the subcommittees mentioned in I and II and the Senate Foreign Relations (SFRC) and the House International Relations (HIRC) Committee) receive reports on the scope and description of all covert action programs found necessary by the President.

B. Issues.

- Proliferation of sensitive information. The above procedures mean that at a minimum 56 members of Congress will be informed of all covert action programs conducted by the IC under the direction of the President. In addition to such members, the principle staff member of those subcommittees also attend such briefings. Also, SFRC and HIRC procedures allow any member of the full committee to receive information provided the subcommittees. Technically, all 435 members of the House have access to any committee records.
- Public release of covert action information. The proliferation of such information as outlined above has led to numerous instances where considerable information on covert action programs has been released to the public. Such release has jeopardized a number of programs and has led to the cancellation of at least one major program.

C. Opportunities

The current period could be utilized to review the above procedures to see if a modification thereof might be in order and possible.

A. Non-oversight committees.

1. Responsibilities.

Under the current procedures, the IC briefs any committee on the substantive intelligence available on almost any subject requested. In doing so, however, no operational matters or sensitive intelligence which would reveal intelligence sources and methods is provided. When questions arise with respect to the latter, the committees are politely referred to the appropriate oversight subcommittees.

2. Issues. In the past, certain committees were not satisfied with the procedures with respect to the refusal to provide operational or sensitive information, however, in most cases, they abided thereby.

3. Opportunities. The transition period provides an appropriate time to review these procedures and to obtain policy guidance thereon.

B. Leadership and Individual Members of Congress.

The IC has worked out a system whereby the Majority and Minority leaders of the House, and to a lesser extent Senate leadership, as kept currently informed of intelligence with respect to worldwide events of significance. In addition, individual members can and do ask for and receive briefings on a wide range of subjects of interest to them in formulating positions on proposed legislation and in preparation for trips abroad.

V. Investigations of IC Activities by Non-oversight Committees

House Select Committee on Assassinations. The IC is currently establishing liaison with this new committee with the objective of ensuring that it receives and handles in an appropriate manner all information relevant to its charter. It is expected that this will entail a large number of man-hours over an extended period.

VI. Legislation.

A. Draft Proposals Already Submitted.

1. Intelligence Sources and Methods.

-- Purpose: The DCI has statutory responsibility to protect against the unauthorized disclosure of intelligence sources and methods. The lack of criminal sanctions for unauthorized disclosure continues to present a serious problem for the Government's National Foreign Intelligence Program. Recent publication of books and articles by persons having authorized access to sensitive intelligence information have damaged the Government's foreign efforts. Legislation establishing criminal sanctions for such unauthorized disclosure of intelligence sources and methods is considered to be a very important deterrent. It would not apply to <sup>an</sup> unauthorized recipient or the publication of the material by newsmen, etc.

President to the 94th Congress and introduced as H.R. 12006 but no further action was taken.

2. Two Deputies.

--Purpose: The National Security Act of 1947, as amended, established the CIA and the positions of Director of Central Intelligence (DCI) and a Deputy Director of Central Intelligence (DDCI). Over the years, as the requirements, responsibilities and workload of the DCI have increased--particularly his duty to oversee and coordinate the functioning of the Intelligence Community--it has become increasingly apparent that a second statutory Deputy Director is needed if the DCI is to properly carry out his duties and to ensure the most effective functioning of U. S. foreign intelligence. The Rockefeller Commission recommended the creation of a second DDCI position. The President, in Executive Order 11905 (issued 18 February 1976), directed that the day-to-day functioning of the CIA be directed by the DDCI and that the position of "Deputy to the Director of Central Intelligence for the Intelligence Community" be established to assist the DCI in his supervision of the IC.



--Status: The proposed legislation was approved by OMB for transmittal to the Congress in September 1976.

B. Other Legislation.

1. Charter Revision.

-- Reason. The SSCI has created a subcommittee to study and propose charter revisions. The predecessor Church committee recommended a number of charter changes.

-- If it is determined that the charter is to be revised, included should be explicit authority to conduct espionage and covert action with the necessary infrastructure. Such a revision should also explicitly define the authority and limitations of the DCI and the IC.

2. Establishment of a Joint Committee on Oversight or House House Select Committee on Intelligence.

-- Need. While the House exercises oversight over the IC, it has not set up machinery equivalent to the SSCI in spite of pressure by a number of House members to take action to pull abreast of the Senate. Creation of a House version of the SSCI, if it had the necessary exclusive jurisdiction, would help diminish the proliferation of information. However, an even greater reduction could

be accomplished through the establishment of a joint committee. It makes sense to push for a joint committee at this time before the House sets up its "SSCI" in order to avoid the problem of parochial interests that would go along with an "HSCI". Also, the SSCI is to make recommendations in the summer of 1977 concerning the structure of congressional oversight in the Congress.

-- Revision of House Rules. Concurrently with the establishment of a "HSCI", House Rule XI should be modified to ensure that IC information is not made available to all House members requesting such information.

3. Repeal of Sec. 662 (Covert Action Reporting)

Since the purpose of a Joint committee would be to concentrate oversight and avoid proliferation, repeal of Sec. 662 should be part and parcel of the joint committee legislation. However, in repealing Sec. 662, some provision must be made to protect the legitimate interests of the Senate Foreign Relations Committee and the House International Relations Committee in being aware of those matters which affect or support the foreign policy of the U. S..

-- Purpose. The only authority to carry firearms now in existence relates solely to the protection of classified documents. There is a need to protect certain IC persons and to authorize those charged with this responsibility to carry firearms for this purpose.

5. Electronic surveillance. The DCI supported a carefully drawn Bill on this subject during the 94th Congress. While that Bill did not reach the floor, it most likely will emerge during the next session and must be carefully monitored.

House Appropriations Committee - Defense Subcommittee

Members: George H. Mahon (D., Tex.), Chairman  
Robert L. F. Sikes (D., Fla.)  
Daniel J. Flood (D., Pa.)  
Joseph P. Addabbo (D., N.Y.)  
John J. McFall (D., Calif.)  
John J. Flynt (D., Ga.)  
Robert N. Giaimo (D., Conn.)  
Bill Chappell (D., Fla.)  
Bill D. Burlison (D., Mo.)  
Jack Edwards (R., Ala.)  
J. Kenneth Robinson (R., Va.)  
Jack F. Kemp (R., N.Y.)  
Elford Cederberg (R., Mich.)  
(ex-officio member)

Principal Staffers: Ralph Preston, Senior Staff Member  
Charles Snodgrass, Staff Assistant

Senate Appropriations Committee - Intelligence Operations Subcommittee

Members: John L. McClellan (D., Ark.), Chairman  
John C. Stennis (D., Miss.)  
John O. Pastore (D., R. I.) -- retired  
Milton R. Young (R., N. Dak.)  
Roman L. Hruska (R., Neb.) -- retired

Principal Staffers: James R. Calloway, Counsel  
Guy G. McConnell, Clerk  
James Fellebaum  
Joel (Pete) Bonner

House Armed Services Committee - Special Subcommittee on  
Intelligence

Members: Lucien N. Nedzi (D., Mich.), Chairman  
Melvin Price (D., Ill.)  
F. Edward Hebert (D., La.) -- retired  
Charles E. Bennett (D., Fla.)  
Samuel S. Stratton (D., N.Y.)  
Bob Wilson (R., Calif.)  
William L. Dickinson (R., Ala.)

Principal Staffers: Frank M. Slatinshek, Chief Counsel  
William H. Hogan, Counsel

Senate Armed Services Committee - Intelligence Subcommittee

Members: John C. Stennis (D., Miss.), Chairman  
Stuart Symington (D., Mo.) -- retired  
Howard W. Cannon (D., Nev.)  
Thomas McIntyre (D., N. H.)  
Barry Goldwater (R., Ariz.)  
Strom Thurmond (R., S. C.)  
Dewey Bartlett (R., Okla.)

Principal Staffers: Frank Sullivan, Chief Counsel & Staff Director  
W. Clark McFadden, Counsel

Senate Select Committee on Intelligence

Members: Daniel Inouye (D., Hawaii), Chairman  
Birch Bayh (D., Ind.)  
Adlai E. Stevenson (D., Ill.)  
William D. Hathaway (D., Maine)  
Walter Huddleston (D., Ky.)  
Joseph R. Biden (D., Del.)  
Gary Hart (D., Colo.)  
Robert Morgan (D., N. C.)  
Clifford Case (R., N. J.)  
Strom Thurmond (R., S. C.)  
Howard Baker (R., Tenn.)  
Mark Hatfield (R., Ore.)  
Barry Goldwater (R., Ariz.)  
Robert Stafford (R., Vt.)  
Jake Garn (R., Utah)

Principal Staffers: William Miller, Staff Director  
Howard Liebengood, Minority Staff Director  
Michael Madigan, Minority Counsel

Senate Foreign Relations Committee

Members: John J. Sparkman (D., Ala.), Chairman\*  
Clifford Case (R., N. J.)

Principal Staffer: Pat M. Holt, Chief of Staff

House International Relations Committee - Oversight Subcommittee\*

Members: Thomas E. Morgan (D., Pa.), Chairman -- retired  
Clement J. Zablocki (D., Wis.)  
Leo J. Ryan (D., Calif.)  
Helen S. Meyner (D., N. J.)  
William S. Broomfield (R., Mich.)  
Edward J. Derwinski (R., Ill.)

Principal Staffers: John J. Brady, Jr., Chief of Staff

House Select Committee on Assassinations

Members: Thomas N. Downing (D., Va.), Chairman -- retired  
Henry B. Gonzalez (D., Texas)  
Richardson Preyer (D., N. C.)  
Louis Stokes (D., Ohio)  
Walter E. Fauntroy (D., D. C.)  
Yvonne B. Burke (D., Calif.)  
Christopher J. Dodd (D., Conn.)  
Harold E. Ford (D., Tenn.)  
Samuel L. Devine (R., Ohio)  
Burt L. Talcott (R., Calif.) -- retired  
Stewart B. McKinney (R., Conn.)  
Charles Thone (R., Neb.)

Principal Staffers: Richard Sprague, Chief Counsel  
Richard Feeney, Executive Assistant

\*These committees or individuals, in addition to the regular oversight committees, receive briefings on Presidential findings under Section 662 of the Foreign Assistance Act of 1961, as amended.

## DCI LEGISLATIVE OBJECTIVES

I. Two Principal Legislative Objectives: The Director of Central Intelligence, the Central Intelligence Agency and the Intelligence Community Staff have two main legislative objectives for 1977:

A. Protection of Intelligence Sources and Methods: We have sought enactment of legislation to establish criminal sanctions for the unauthorized disclosure of intelligence sources and methods by Government employees who have been entrusted with such information. Recently, very serious damage has been done to our foreign intelligence program by such unauthorized disclosures; however, there are no existing laws which effectively protect this sensitive information. Remedial legislation was recommended by the President in February 1976 and was introduced in the 94th Congress as H.R. 12006. The need for this legislation has become critical. (TAB A contains a fuller discussion of this legislation and the text of H.R. 12006.)

B. Second Deputy Director: We have sought an amendment to the National Security Act of 1947 establishing, in lieu of the existing single deputy position, two deputy positions, a Deputy Director for the Central Intelligence Agency and a Deputy Director for the Intelligence Community. Such a provision will further effectuate E.O. 11905 by giving the DCI the support of two deputies, which he needs if he is to function effectively in his dual role as head of CIA and overall coordinator of the Intelligence Community. This legislation was approved by OMB in October 1976 for submission to Congress. (TAB B contains a fuller discussion of this legislation and a text of the proposed bill.)

II. New Intelligence Agency Charters: Continuing congressional interest in statutory charters for intelligence activities has prompted a careful review of our charter and the preparation of possible charter revisions. These proposals are still being developed.

III. Electronic Surveillance: In the 94th Congress the Director of Central Intelligence supported carefully drawn legislation to authorize applications for court orders approving electronic surveillance for foreign intelligence purposes. The Director attaches great importance to this problem and is interested in participating in the consideration of any such legislation in the 95th Congress.

"Intelligence Sources and Methods" -- Establish Criminal Penalty  
for Unauthorized Disclosure

The continued effectiveness of the United States foreign intelligence collection effort is dependent upon the adequate protection of the intelligence sources and methods involved. In recognition of this, Congress, in Section 102(d)(3) of the National Security Act of 1947, made the Director of Central Intelligence responsible for the protection of Intelligence Sources and Methods from unauthorized disclosure. Unfortunately, there is currently no statutory authority to implement this responsibility. This proposed legislation would remedy this deficiency. In recent times, serious damage to our foreign intelligence effort has resulted from unauthorized disclosures of information related to intelligence sources and methods. The circumstances of these disclosures precluded punitive criminal action.

In most cases existing law is ineffective in preventing disclosures of information relating to Intelligence Sources and Methods. Except in cases involving communications intelligence, no criminal action ordinarily lies unless the information is furnished to a representative of a foreign power or the disclosure is made with intent to harm the United States or aid a foreign power. Except in the case of knowingly furnishing classified information to either a foreign government or a foreign agent, prosecution requires proof, to the satisfaction of the jury, that the information affects the national defense within the meaning of the statute. This can only be established by further public disclosure in open court which may aggravate the damage to the security and intelligence interests of the United States and raises an additional obstacle to prosecution. The difficulties imposed by these burdens substantially reduce the effectiveness of the general criminal statutes as a deterrent to unauthorized disclosure of sensitive Intelligence Sources and Methods information.

The proposed legislation amends Section 102 of the National Security Act of 1947 by adding a new subsection (g) defining "information relating to intelligence sources and methods" as a separate category of information to be accorded statutory recognition and protection similar to that provided "Restricted Data" under the Atomic Energy Act. The proposed law recognizes the authority of the Director of Central Intelligence and the heads of other agencies expressly authorized by law or by the President to engage in intelligence activities for the United States to limit the dissemination of information related to Intelligence Sources and Methods of collection. It provides for a criminal penalty for the disclosure of such information to unauthorized persons and for injunctive relief. The provision is specifically limited to those Federal employees, former employees, or others having a privity of relationship with the information disclosed. It does not apply to outside third parties, such as the press to whom the unauthorized disclosure is made.

Enactment of this proposal will not result in significant additional costs to the Federal Government. If the proposal is successful in deterring unauthorized disclosures, it would result in substantial savings to the Government by preserving existing, each very expensive, intelligence collection systems.



Amendment of the National Security Act of 1947 to Establish  
a Second Statutory Deputy Director of Central Intelligence

The National Security Act of 1947 established the Office of Director of Central Intelligence as executive head of the Central Intelligence Agency. Among his responsibilities under the Act, the Director is charged with the oversight and coordination of the foreign intelligence community. Over the years, this latter supra-departmental responsibility has become increasingly important. The President, through Executive Order 11905, has recently taken steps to further enhance the role of the Director in coordinating the activities of the Intelligence Community.

The Director's expanding duties in administering the Intelligence Community, handling relations with other components of the Government, serving as the Government's principal foreign intelligence adviser, and passing on broad questions of policy, leave him less time for day-to-day supervision of the Agency. It has become apparent that the Director must have the support of two deputies if he is to function effectively in his dual role as administrative head of the Central Intelligence Agency and overall coordinator of the Intelligence Community.

In this connection, the President's Commission on CIA Activities Within the United States has recommended the creation of two statutory deputies to improve supervision and management of the Central Intelligence Agency and to assist the Director in his Community responsibilities. The President has already taken administrative action to this effect in Executive Order 11905 by directing the Director of Central Intelligence to delegate the day-to-day operation of the CIA to the Deputy Director of Central Intelligence and by creating the position of "Deputy to the Director of Central Intelligence for the Intelligence Community" to assist the Director in his supervision of the Intelligence Community. Because of the nature of their respective positions and the responsibility imposed upon them, it is recognized that it would be desirable for both Deputies to be politically accountable officials--appointed by the President and confirmed by the Senate.

The proposed legislation amends Section 102 of the National Security Act of 1947 by creating, in lieu of the one Deputy Director of Central Intelligence currently provided for in that Section, two Deputy Directors: a Deputy Director of Central Intelligence for the Central Intelligence Agency and a Deputy Director of Central Intelligence for the Intelligence Community. The proposed legislation authorizes the Director to delegate to each of the Deputy Directors any of the authorities vested in him by virtue of his position as Director of Central Intelligence and as head of the Central Intelligence Agency. It provides that the Director and Deputy Directors shall be appointed by the President with the advice and consent of the Senate. It provides further that the positions of Director of Central Intelligence and Deputy Director of Central Intelligence for the Central Intelligence Agency shall not be occupied simultaneously by a commissioned officer of the armed services.

25X1

Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2

Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2

**SECRET**

*Ballagh* OLC  
1:50 - 2:00  
6E0708

SUBJECT: Transition Papers

1. *Carter* For the transition team,  
We need by c.o.b. Monday, 29 November from each DCI area Office and each Directorate a brief statement on internal and external relationships. The specific questions that have been asked are:

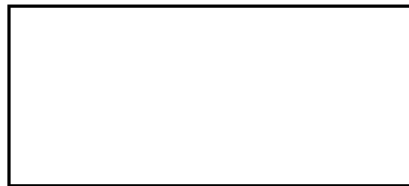
Internal relationships

To whom does the Directorate or Office report?  
How does it receive assignments?  
How does it relate to other staffs and offices in the Agency and DCI structure -- including the *Legislative Counsel* Comptroller, General Counsel, Inspector General, NIOs ~~and~~ *IC* staff?

External relationships

In what intradepartmental and interagency groups does it participate?  
Which does it chair?  
Who are the liaison officers who handle day-to-day coordination with offices in other agencies?  
Who are their primary points of contact in those agencies?

2. Responses <sup>s</sup> should be limited to a paragraph or two under each of the subheadings. Follow the attachment for format.



*Acting Comptroller*

25X1

**SECRET**

*Sample of  
format to which  
the 2 sections are  
to be added*

## DIRECTORATE OF INTELLIGENCE

Function

The Directorate of Intelligence provides U.S. officials who formulate and implement national security policy with authoritative information and objective assessments about what is going on abroad that they need to do their jobs. The specific functions of the Directorate include:

Production

- Research and analysis of information from all sources and the timely production of intelligence on foreign economic, political, strategic-military, biographic and geographic matters.
- Written and oral presentation of current intelligence on a daily basis and of the results of intelligence analysis pertinent to important policy issues.

Processing

- Analysis and extraction of information from photography and direct support of the production of intelligence and CIA operations.
- Providing central reference, library, cartographic and dissemination services to all elements of CIA.

Collection

- Monitoring, translation, and dissemination of information from public foreign radio and television broadcasts, publications and press agency transmissions.

25X1 [REDACTED]

- Providing requirements and guidance for the collection of information and evaluating the importance of information from various collection programs to the production of intelligence.

Strength

- 25X1
- a. [REDACTED] as of 30 September 1976
  - b. [REDACTED] FY 77 authorization

Funds

- 25X1
- FY 77 [REDACTED] (Presidential Budget)
  - FY 78 [REDACTED] (Agency Request)

25X1

Per [redacted] call:

Approved For Release 2005/02/10 : CIA-RDP78M02660R000800090019-2

25X1

*Do Monday  
Call*

- Relatress*
1. A description of how the *legislation* with Congress will be handled.
  2. Who are the Congressional members? Committee members? Subcommittee members? Staff members most interested in the work of the Unit?
  3. A summary description of any recent proposals for organizational changes specific to that Unit, and the Agency's reaction?
  3. A list and brief description of any legislation of which the Agency has cognizance which will or may have to be submitted prior to June '77 including any major budgetary items.

*off*

25X1



*OLC?*